



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/974,594

10/09/2001

Norman Ken Ouchi

7077

41212

7590

04/13/2009

NORMAN KEN OUCHI
P.O. BOX 20111
SAN JOSE, CA 95160

EXAMINER

DALENCOURT, YVES

ART UNIT

PAPER NUMBER

2457

MAIL DATE

DELIVERY MODE

04/13/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/974,594

Applicant(s)

OUCHI, NORMAN KEN

Examiner

YVES DALENCOURT

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This office action is responsive to amendment filed on 02/04/2009.

Response to Amendment

The Examiner has acknowledged the new abstract, the amended claims 21, 36, 37, 38, 39, and 40. The 112 rejection second paragraph has been withdrawn.

Response to Arguments

Applicant's arguments filed on 02/04/2009 have been fully considered but they are not persuasive.

In response to applicants' argument (page 7) that Neither Ghoneimy nor Van Huben nor any combination of these prior art functions provide or even suggest the implementation of a business process that processes classified files or the use of workflow to control such a business process or a route directed workflow system with route steps that provide system directed file classification and system directed attachment or download of classified files, the limitations of claims 21, 28, and 36. The examiner recognizes that references cannot be arbitrarily **combined** and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosure taken as a whole would suggest to one of ordinary skill in the

art. In re McLaughlin, 170, USPQ 209 (CCPA 1971). references are evaluated by what they suggest to one verse in the art, rather than by their specific disclosures. In this case, Ghoneimy discloses that the workflow system has node types and each node has its own attribute or classification of processes. The user of the workflow can access the attributes of a process and the activity performed on that process is attached as a file type. Ghoneimy further discloses that the activity node can be assigned one or more forms to allow user access to the attributes of the containing process (see paragraph [0072]). Ghoneimy further discloses a folder hierarchy which is a tree of folders (**claimed classification of files**). The tree of folders includes personal folder sub-trees and shared folder sub-trees. The folder for assigned tasks can be active or completed. The owned processes can be active or completed. Others allow the user to create a personal folder hierarchy where short cuts to processes, plans, and activities can be created (see paragraph [0208]). Van Huben, on the other hand, discloses that the DCS has a built-in Bill of Materials (BoM) Tracker to facilitate tracking many design components in large projects. The main objective of the BoM Tracker is to group certain design components to make it easier to promote them through the library and track their synchronization. This is crucial for data sets that contain some source and some derived files from that source. The following features exist in the BoMTracker) (see col. 4, lines 10 – 67; col. 18, line 62 through col. 19, line 67). Therefore, the combination of Ghoneimy and Van Huben do suggest the implementation of a business process that processes classified files.

In fact, it appears that Applicants are interpreting the claims very narrow without

considering the broad teaching of the references used in the rejection.

Applicants are reminded that the examiner is entitled to the broadest reasonable interpretation of the claims. Applicants always have the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater 162 USPQ 541,550-51 (CCPA 1969).

In view of such, the rejection is maintained as follows:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21 – 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghoneimy et al (US Patent Publication No. 2004/0078373; hereinafter Ghoneimy) in view of Van Huben et al (US 5,920,873; hereinafter Van Huben).

Ghoneimy teaches the invention as claimed including a workflow distributing apparatus and method (see abstract)

As per claims 21, 28 and 36, Ghoneimy teaches a method for the controlled processing of classified file types wherein a first file of a first classified file type is processed into a second file of a second classified file type by a plurality of users with

access to a route directed workflow system in a computer network comprising the steps of:

- defining a set of classified file types including a first classified file type and a second classified file type (classification of file; pp 0055-0065);

- dividing the process into a first classified file type attachment step, a first classified file type download step, a step that processes a first classified file type into a second classified file type, a second classified file type attachment step, and a second classified file type download step (processes and attachments; 0079-0082);

- defining route steps that specify attachment or download of a file of a specified classified file type (pp 0085);

- producing a route with a first route step that specifies attachment of a first file with the first classified file type by a first user, followed by a second route step that specifies the download of the first file with the first classified file type by a second user, followed by a third route step that specifies the attachment of a second file with a second classified file type by the second user, followed by a fourth route step that specifies the download of the second file with the second classified file type by a third user (pp 0085-0089);

- defining a first file of the first classified file type (pp 0065);

- executing the route in a workflow system where the workflow system in response to a route step presents to the user a screen to attach or download a file of the classified file type as specified by the route step (paragraphs [0111] and [0116]).

Ghoneimy teaches substantially all the limitations, except for having the first user attaches the first file of the first classified file type at the first route step; the second user downloads the first file, processes the first file into a second file of the second classified file type, and attaches the second file; and the third user downloads the second file of the second classified file type.

However, Van Huben teaches an analogous data management control system for file and database which shows the idea of presenting a screen, where the first user attaches the first file of the first classified file type; at the second route step, the second user downloads the first file, processes the first file into a second file of the second classified file type, and at the third route step, attaches the second file; and at the fourth route step, the third user downloads the second file of the second classified file type (col. 4, lines 10 – 67; col. 18, line 62 through col. 19, line 67; Van Huben discloses that the DCS has a built-in Bill of Materials (BoM) Tracker to facilitate tracking many design components in large projects. The main objective of the BoM Tracker is to group certain design components to make it easier to promote them through the library and track their synchronization. This is crucial for data sets that contain some source and some derived files from that source. The following features exist in the BoMTracker).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Ghoneimy by incorporating the idea of having the first user attaches the first file of the first classified file type at the first route step; the second user downloads the first file, processes the first file into a second file of the second classified file type, and attaches the second file; and the third user

downloads the second file of the second classified file type as evidenced by Van Huben for the purpose of increasing data integrity, thereby reducing the risk of data getting out of sync.

As per claims 22 and 29, Ghoneimy and Van Huben teach all the limitations in claims 21 and 28, and Ghoneimy further teaches, wherein a third file has a parent-child relationship with a fourth file and the file attachment attaches the third and fourth files with a parent-child relationship (pp 0065-0071).

As per claims 23, 31 and 40, Ghoneimy and Van Huben teach all the limitations in claims 21, 28, and 36, and Ghoneimy further teaches, wherein a third file can have the same file name as a fourth file and the files are distinguishable (pp 0055-0071).

As per claims 24 and 32, Ghoneimy and Van Huben teach all the limitations in claims 21 and 28, and Van Huben further teaches, wherein the route has a loop and the files in each iteration of the loop are distinguishable (col. 43, lines 31 – 61; col. 115, lines 8 – 18; col. 117, lines 5 - 12; Van Huben teaches that the File Loop in Step 22412 is repeated until all files are exhausted. Upon exit from the loop control proceeds to Step 22419, List Files. Here, the file information is re-written with the source and destination physical locations in preparation for the upcoming file transfer. The file name of this control file indicates whether the file transfer pertains to a Put or Promote).

As per claims 25, 33, 34 and 39, Ghoneimy and Van Huben teach all the limitations in claims 21, 28, and 36, wherein the route provides a conditional branch capability at a route step and the user at the route step indicates the branch choice for the next route step, (pp 0091-0111).

As per claims 26 and 35, Ghoneimy and Van Huben teach all the limitations in claims 21 and 28, wherein the screen at a route step provides a means to download a file based on the file classification (pp 0065-0079).

As per claims 27, 30, 37 and 38, Ghoneimy and Van Huben teach all the limitations in claims 21, 28, and 36, wherein a seventh file is related to an eighth file in a parent-child relationship and the file download downloads the seventh and eighth files in a parent-child relationship (pp 0065-0071).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YVES DALENCOURT whose telephone number is (571)272-3998. The examiner can normally be reached on M-F 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YVES DALENCOURT/
Primary Examiner, Art Unit 2457